



Atty. Dkt. No. 049411-0248

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yu-Chong TAI *et al.*

Title: MICROFLUIDIC DEVICES AND METHODS WITH
ELECTROCHEMICALLY ACTUATED SAMPLE
PROCESSING

Appl. No.: 10/603,573

Filing Date: 06/24/2003

Examiner: L. J. RAMILLANO

Art Unit: 1743

Conf. No.: 3326

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The applicants respond to the June 14, 2006 restriction requirement and petition for a three month extension. The applicants traverse the Examiner's position and statements in support thereof, but the merely to advance prosecution, the applicants hereby provisionally elect Group I, claims 1-33.

The restriction requirement also noted an unspecified species election issue on page 5. The Examiner's position on species election is unstated and unclear; therefore, the applicants are unclear on what is being requested. Only one independent claim (claim 1) is at issue in the elected group, and the number of dependent claims is reasonable and not overly broad in scope. Therefore, all elected claims should be examined in this application. In case it is helpful and helps avoid some additional restriction, the applicants to advance matters note that the working


examples on page 14-16 can be used for the Examiner to help focus his search. For example, parylene can be used (claim 20). A nozzle can be used (claims 28-29). A detection device can be used (claims 30-32). Gradient elution can be used (claim 6). Claim 1 is a generic independent claim. Clearly, however, the applicants would like examination of all claims 1-33 in this single application. The Examiner can contact the undersigned if there are additional questions about species election to process this efficiently.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date October 16, 2006
FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5569
Facsimile: (202) 672-5399

By


J. Steven Rutt
Attorney for Applicant
Registration No. 40,153